



shifting carceral Landscapes

**Decarceration and the
Reconfiguration of White Supremacy
By Colleen Hackett and Ben Turk**

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Shifting Carceral Landscapes: Decarceration and the Reconfiguration of White Supremacy by Colleen Hackett and Ben Turk

Authors’ Note: This article was written for *Abolition Journal* (*abolitionjournal.org*) in the spring of 2016, months before the election of Donald Trump. Under Attorney General Jeff Sessions, and the rest of the Trump Regime, we’ve seen the carceral landscape shift in a dramatically regressive direction. This turn back towards embracing mass incarceration at the federal-level, the drug war, and prison construction presents the same challenges in terms of both economic stability and democratic legitimacy that led to the bipartisan coalition against mass incarceration in the first place. We predict that the 2016 election’s regressive turn will be short lived, and will in the long run, advance the shifts described in our article by allowing them to pose as wonderful alternatives to the Trump/Sessions regime.

Introduction

The prison state in the United States is undergoing yet another reconfiguration. Under a combination of popular pressure, fiscal limitations, and stubbornly ungovernable populations, the system of mass incarceration is widely understood as unsustainable in its current form. This critical understanding has gained the attention of policy-makers and political elites, who have adopted the cause of decarceration. The top-down goals, priorities, and framings of these reformers depart significantly and problematically from the decarceration movements that precede them. Mainstream democrats as well as hardcore conservatives have come together in a much-lauded bipartisan coalition to reform mass incarceration. Archconservatives like Newt Gingrich and the Koch Brothers contend with the high cost of prisons that burden state and federal budgets while Democrats like Hillary Clinton and Bernie Sanders frame their discontent with mass incarceration and especially privatized prisons as unjust, but emphasize the importance of strategic coalition with fiscal conservatives while adding a flavor of pandering to their Black and Latinx constituencies.

Many in the preexisting decarceration movement applaud this shift, welcoming the involvement of policy makers and rightfully feeling validated in their own work by these small steps toward justice. Others are more hesitant, raising critiques of the elites and warning against collaboration with forces that strengthen and reinforce carceral logics.^[1] These critiques have contributed to expanding the abolition movement. Radicals from other tendencies as well as newly aware activists are giving more attention to the antiprison struggle. As a result, the United States has seen a resurgence of militant direct action coordinated across prison fences. On September 9, 2016, to commemorate the 45th anniversary of the Attica prison rebellions, prisoners staged a nationally coordinated work stoppage and protest while militants on the outside across the country attacked prison profiteers, blocked traffic, and demonstrated in solidarity at prisons and jails.^[2] We want to join in critiquing elitist decarceration strategies through top-down reformist policies, while also questioning the viability and sustainability of abolitionist-supported decarceration efforts. Specifically, we will focus on how embedded white supremacy can continue to operate through various structural mechanisms and institutions while possibly even expanding and diffusing racialized social control.

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that work to dissolve the racial caste system. We must undermine these emerging systems of carceral white supremacy while we attack, delegitimize, and dismantle the prison state and *all* of its forms.

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Endnotes (citations edited for space, see the article on abolitionjournal.org for full citations)

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The system of carcerality in the United States is one that extends beyond the prison walls. We borrow a definition of the carceral from philosopher Michel Foucault that refers to an institution, a system, or a body of knowledge that renders people as objects and exercises control over and through them.^[3] Carcerality is a system that confines, entraps, and incapacitates, whether that be through the criminal legal system or by other means. This system of control in the United States has always been a function of a social order founded on white supremacy. In its most basic articulation, “white supremacy is the presumed superiority of white racial identities . . . in support of the cultural, political and economic domination of non-white groups.”^[4] The agents of whiteness and white supremacy—usually status quo whites— invent and assume racialized differences, often based on spectacular stereotypes of people of color. Some historical misrepresentations include the murderous savage, the illegal and criminal alien, the bestial, inhuman slave, or the diseased drug addict. These crude caricatures are used to solidify the myth of white superiority and to also mobilize white anxieties in order to build apparatuses that control or disappear people of color (or both). The ideology of white supremacy has fueled and *continues* to fuel countless iterations of sustained racial domination through extermination, displacement, confinement, and assimilation. From the colonization of Turtle Island and the disappearing of Native bodies through genocide, forcible relocation, and cultural appropriation, to the Japanese internment camps and anti-Asian immigration laws, or to the annexation of Mexican lands and mass detention and deportations of undocumented Latinxs, white supremacy assumes the biological or cultural inferiority of non-whiteness (or both), thereby rendering resources, land, and socioeconomic capital to white settlers or those who align themselves with whiteness.^[5]

The most oft-cited historic case of intentional white supremacy with matters involving the modern prison and policing infrastructures is the evolution of systemic repression of Black Americans. The police force in the South has its roots in the slave patrol, which was an organized form of extralegal terror against slaves to catch plantation escapees and to prevent revolts.^[6] After the abolition of slavery, apparatuses of whiteness—including federal and state laws, along with white militias—implemented and regulated Black Codes, which, through vaguely defined vagrancy laws, channeled newly freed Black people to the prison system to extract coerced labor. The convict lease system that emerged out of the Thirteenth Amendment was simply put, “slavery by another

name”^[7] and similar forms of bondage remain in present day. In conjunction with the convict lease system and vigilante white terror, postemancipation Jim Crow laws attempted to stifle Black American civic and political growth. Yet, this codified segregation resulted in a crisis for liberal democratic sentiments, in very large part because organized people of color—both militant and nonviolent—effectively challenged the white status quo. And, although the much-lauded Civil Rights Act inspired hope among many that the country might move toward racial equity, it is now clear that the legislation forced white supremacy to shift and to become more subtle in effect. The post-Civil Rights form of white supremacy is most evident in policing and in the prison systems, where young Black, Native, and Latino males are substantially more likely to be profiled and shot than their white counterparts and where Black, Native, and Latinx peoples are more likely to be sentenced to prison than their white counterparts.

The mainstream recognition of this historicized understanding of and connections between anti-Blackness and the criminal legal system has varied greatly over the decades. The most recent resurgence of mainstream critiques of the prison system seem to partly stem from the popularity of Michelle Alexander’s book, *The New Jim Crow*. Alexander’s arguments gained traction just as the phase of mass incarceration she described was beginning to change. In her final chapter, Alexander urges us to recognize that just as slavery turned into Jim Crow, and Jim Crow into mass incarceration, mass incarceration could also evolve into a new form of racial caste system if we do not first address “the racial divisions and resentments that gave rise to mass incarceration.”^[8] Alexander’s critiques come during a period in which the belief in the social contract of protection and equality is once again compromised. The awareness of mass incarceration and racial inequalities disrupts and shakes collective understandings of the U.S. as an advanced liberal democratic nation. As the political theorist Charles W. Mills asserts, “the liberal individual is supposed to be protected by the liberal state, and any infringement of his or her rights corrected for.”^[9] Yet, as Mills later reveals in his indictment of white supremacy and racialized white liberalism, “the founding principles of justice prescribe different schedules of rights for whites and people of color,”^[10] and, racism is structurally built into the socio-political order, unsettling the myth of democratic progress or equality. White supremacy is much more complex than individual acts of racism or overtly racist rhetoric, which is often cast as “irrational.” Whiteness, as a category,

By replacing imprisonment with probation, parole, ankle bracelets, and coercive reentry therapeutics, the elite decarceration movement is creating a wide variety of new carceral forms.^[73] These reforms, when combined with excluding geographies, a rehabilitative facade, as well as alterations within the prison system itself, produce increasingly distinct categories of control in a flexible carceral array.

In this essay we have focused on how components of the carceral array serve white supremacist interests and maintain racialized hierarchies. Rather than an inflexible and undeniably evil “one-drop” ideology, the new carceral landscape helps to reproduce an increasingly colorblind form of white supremacy where even the darkest skin or the thickest accents, “ethnic” fashions, and gestures are welcomed, so long as the relationship with the state and social order conforms with expectations established after centuries of white domination on this continent. Those who fail to conform are sorted into a complex array of stigmatization and marginalization, which are and have been disproportionately likely among communities of color. This emerging form of white supremacist carcerality is entrenched in a complex system of racialized ordering.

The abolitionist critics of gradual prison reform often point out that “racism is embedded in the system. . . . Extracting ‘bias’ from a particular step [does] not diminish the influence of white supremacy.”^[74] White supremacy is not merely an accumulation of irrational or unconscious racial biases and institutions that exacerbate it; white supremacy is a system that uses coded categorization systems (although sometimes thinly veiled) to sort people for differentiated treatment. The rejection of personhood and the imposition of criminalized identities is a project with white supremacist origins, even when it affects impoverished whites. This “leveling down” threatens populations considered deviant based on class, ability, gender, and sexuality.^[75] The carceral array sorts marginalized peoples into limited citizenship and access. The white supremacist origins in the carceral state remain manifest in the dehumanization of those marked as “other.”

Exclusionary geographies, the rehabilitative facade, and the tier system are just *some* aspects of a white-dominant racial order that continues to control and incapacitate. In centering our analysis on white-dominance and white racial interests, we hope to identify the roots of racialized violence that are embedded in “legitimate” institutions and ideologies. Antiracists, accomplices to the struggle, and abolitionists must continue these surveys of the landscape in order to develop effective strategies

gang leaders often serve peacekeeping or at least stabilizing roles within the prison community. They educate new prisoners, uphold traditions and norms, and enforce respect for unofficial hierarchies.^[67] In this way, the tier system, like prison and police in general, promises safety through isolation and control, but actually creates increased stress, trauma, and danger by removing stabilizing forces. These conditions threaten prisoners in general, as well as staff. In Alabama, the isolation of prisoner organizers has led to increased violence, which the Free Alabama Movement (FAM) believe is being cynically used by the Alabama Department of Corrections to justify a large prison expansion bill.^[68] Prison guards at Holman Correctional Facility have also recognized this dynamic and joined FAM's protest by collectively refusing to come to work on certain shifts.^[69] The tier system targets gangs, attempting to shut them down and reduce the violence they cause, but aggravating tensions, isolating leadership, and discouraging cooperation or understanding between racialized prison gangs does not shut them down—it exacerbates them.

This culture of manufactured racialized violence is exported to the streets through carceral identities adopted by some prisoners when they return to society. The release of extremist Aryan prisoners directly produces white supremacist violence, boosting the ranks of neo-Nazi and white supremacist organizations as well as isolated incidents of racial terror.^[70] Patrick Lopez-Aguado argues that in addition to this emboldening of white supremacist terror organizations, the transfer of Latina/o racialized prison identities to outside neighborhoods increases police aggression and the recognition of community members as criminal.^[71] The tier system increases the prison's role in incubating racialized violence and creating narratives to justify state violence in communities targeted for high incarceration.

Conclusion: The Carceral Array and Abolitionist Landscaping

Loic Wacquant predicted that the prison system will become “an appendage to the dark ghetto or supersede it to go it alone and become America’s fourth ‘peculiar institution.’”^[72] Our observations indicate another option, in which carcerality becomes further de-spatialized and multifaceted. Elite reformers, by prioritizing fiscal responsibility and superficial, exaggerated policy shifts, might succeed in decelerating and decarcerating some of the prison population.

shapes the definitions of and boundaries between superiority/inferiority, civility/incipit, deserving/nondeserving, and criminal/noncriminal. Further, material resources and institutional privileges are doled out according to where one “fits” in the racial order. We must understand white supremacy as a complex web of prejudicial beliefs and attitudes as well as institutionalized forms of racism (e.g., anti-immigration policies, voter ID laws, standardized testing, etc.). The institutional arrangement that prioritizes whiteness is intentional, rationalized, and collectively defines “white America” as normative.

The authors of this article are white abolitionists. We acknowledge the ways that our raced experiences limit our perspectives, particularly because our skin privileges afford us relative distance from many of the issues we write about in this piece. Despite our limitations, we want to critique the shifts and accommodations of a system that is transforming to produce new forms of racial caste, carcerality, and white supremacy. Both authors of this piece played active roles in coordinating the September 9th protests and have been working closely with prison rebels and antiprison movements for years. We've seen the shortcomings of reform and of mainstream nonprofit organizations. We've stood beside and shared space and visiting room vending machine meals with our comrades who have been left behind or ignored by reformist organizations. Our incarcerated colleagues provided much of the fodder for the analysis that follows, and we first want to acknowledge them and to thank the many people that engage in the struggle to dismantle the prison system.

Abolitionists such as Angela Davis have warned that prison reform has had a historical tendency to rearticulate and repackage racialized social control.^[11] We must not only end the current institutions of control and carcerality but also anticipate and prevent their replacements. Therefore we wish to add to a growing abolitionist analytic that critiques the institutional embedment of white supremacy not only in the criminal legal system but also in the broader society that necessitates prisons in the first place. We will first broadly examine an array of contemporary decarceration strategies, presenting criticisms of elitist strategies grounded in the measurable failures of the recent past. We then discuss abolitionist visions of “nonreformist reforms” that include supporting certain decarceration efforts. Although these latter tactics are promising, we also wish to present a brief and limited survey of some shifts in the broader carceral landscape that pose challenges to the deceleration and decarceration of our prison population. We identify other social and

economic institutions that serve to reify exclusionary logics and that further the collective disinvestment in groups deemed “unworthy” or “disposable.” Alexander Lee writes in the *Abolition Now!* anthology, “We should understand that ‘prison abolition’ means much more than closing down prisons. . . . The real work of abolition must be done away from prisons—in shelters, health clinics, schools, and in battles over government budget allocations.”^[12] Similarly, we analyze how nonprison systems maintain and perpetuate racialized hierarchies. We do not view our survey as exhaustive; we anticipate and welcome scholars who will call attention to our limitations, particularly those features we as white people cannot recognize. Our goal is not to see the future or predict the entire shape of nascent white supremacist institutions but rather to identify some evolving or developing features of racial oppression that are worthy of greater attention when critiquing the carceral state. Any commitment to full decarceration and abolishing the cages that keep people, particularly people of color but also impoverished whites, from their families and their communities, needs to include opposition to these features.

Decarceration Strategies: Differentiating between Elitist and Radical

The new broad public awareness of mass incarceration and calls for reform emerge on a landscape already scarred by years of struggle against prison. Over the forty years following the Civil Rights and Black Liberation movements, the United States has pursued policies driving the incarceration rate up rapidly.^[13] This progress was steepest in the mid-1990s when the Clinton Dynasty employed a “third way” strategy to outmaneuver the Republican Revolution.^[14] Faced with congressional gridlock promised by House Speaker Newt Gingrich’s aggressive “Contract With America” campaign, President Bill Clinton signed a host of laws that targeted criminalized populations. The 1994 Violent Crime Control and Law Enforcement Act allotted federal dollars for prison expansion to states that adopted “tough on crime” policies such as “truth in sentencing” and “three strikes” rules. Clinton’s Community Oriented Policing Services (COPS) program added 100,000 police to the streets of American cities. The Antiterrorism and Effective Death Penalty Act of 1996 instituted far more restrictive rules for habeas corpus appeals of convictions. In the same year, Clinton’s Personal Responsibility and Work Opportunity Act gutted the social welfare safety net. These policies both allowed Clinton and other “New Democrats” to defang the

Michigan, Florida, and elsewhere following the September 9th, 2016 work stoppages.^[63] This repression also targets other segments of the racialized prison population when they form multiracial coalitions. Prison administrators count on and exacerbate racial tensions as a means to divide and control prisoners. Within such a system, racial grouping can occur in two different ways—one that serves a prison function and one that defies it.^[64] Racial grouping as a method of dividing prisoners against each other is embraced and encouraged by administrators, while bottom-up efforts to defy those divisions while also *politicizing* one’s racialized identity threatens the control that administrators pursue.

Prison life includes a plurality of distinct and important racial groupings, which may, during moments of struggle, work together not by melting or erasing their difference but by building solidarity across difference. Agreements to end hostilities or statements of unified demands have accompanied every one of the most successful and historically unprecedented prisoner protest movements in recent years.^[65] White supremacist institutions such as prisons cannot tolerate this solidarity and punitively lock down prisoners (including the white Aryan affiliated prisoners) in response. They prefer prisoners to remain divided and to blame each other, and hope that by ratcheting up the torture, isolation, and stressful control systems, they will break prisoners’ unity and return to a status quo of tension and violence across racial division, rather than coordination. Prison has traditionally had an important role in quelling race-based social movements. Counterinsurgency programs have been dedicated to putting movement leaders and rebellious communities behind bars for decades, and similarly, repressive tier system control tactics are being used to quell prison rebels and organizers.^[66]

Second, by enforcing and promoting dehumanizing, degrading, and therefore violent conditions, the tier system exacerbates violent prison culture in general. Long timers convicted in Georgia, Alabama, and Ohio have complained about how their living conditions have degraded with the inception of tier systems. A person incarcerated for decades in prison often needs surrogate families, social networks, and affiliations to navigate the deprivation of imprisonment. The tier system multiplies divisions and means to fracture prisoner-created social networks. Administrators claim the tier system reduces violence by isolating dangerous prisoners and separating them from others. Meanwhile, they (perhaps rightly) see prisoner-led organizations as the largest threat to their absolute control of the system, so they label organizers as “gang” leaders or as “violent.” Yet long timers, organizers, and sometimes even

and intricate “step down” processes across the entire population of many prison systems. The traditional security level system (typically four or five categories) is breaking into a bewildering array of privilege levels. Privileges such as congregate recreation, property limits, and access to programming or visitation change from each tier and sublevel at the choice of administrators. In this way, every lauded program incentive becomes a privilege to be earned.

Movement from tier to tier is handled by security review and rules infraction boards that often avoid transparency and accountability, thus making it likely for targeted prisoners to receive harassment. In Georgia, the tier system was adopted after the 2010 work stoppage, and perceived leaders of that movement like Kelvin Stevenson have been held in the uppermost tiers ever since. Supporters of Stevenson and his comrades describe the tier system as “effectively function[ing] as an unaccountable and arbitrary criminal justice system within the prison itself.”^[62] Many jailhouse lawyers and prisoner advocates have used due process claims to challenge these systems, but often fail. Through years-long relationships with prisoners at Ohio State Penitentiary (OSP) and their outside advocates, one author of this paper has learned of the following arrangement: At OSP, a person sent to level 5 is never told how long they will stay there, but prisoners and their advocates have observed lengths of time spent on level for various offences and found an almost universally consistent, standardized sentencing structure, though staff and prison officials deny that they are blanket sentences. At the same time, special exceptions can occur without justification. For example, some survivors of the Lucasville Uprising have been on level 5 since it was created twenty-three years ago, and the Ohio Department of Rehabilitation and Corrections (ODRC) has all but promised they will remain there until they are executed. The rules infraction board is able to operate with unfettered discretion according to the needs of the system.

White supremacy has long colluded with the carceral state to divide, sort, and manage people. Tier systems reinforce white supremacy by managing and controlling relationships between prisoners based on a rigid top-down order. This control takes both targeted and generalized forms. First, the tier system targets prison rebels and organizers. In Georgia and Alabama, the response to historic work stoppages has been to put perceived leaders, like Melvin Ray, Robert Earl Council, or Kelvin Stevenson on the top tier of indefinite isolation. These Black men explicitly organized as Black men and were locked down *for* being Black men who organized. Right now we are seeing the process underway in

Republican threat (by instituting its platform themselves) and further entrenched the legitimacy of incarceration as a response to social harm, no matter the severity.

Recent adjustments by New Democrat elites and the bipartisan coalition on mass incarceration maintain that entrenchment, even while nominally repealing the policies and rhetorically indicating “sweeping reversals” to trends in the criminal legal system.^[15] Attorney General Eric Holder’s 2013 speech before the American Bar Association (ABA), which is often described as “ending the war on drugs,” actually argued for being “both tougher and smarter on crime.”^[16] Beyond the rhetoric, we see a similar transition and entrenchment in policy. For example, changes enacted by the Obama administration to the federal prison system include releasing approximately six thousand prisoners and implementing reduced sentences for those convicted of nonviolent drug charges. The decrease in punishment will be applied retroactively and is projected to release nearly nine thousand more prisoners. Additionally, the heralded bipartisan Sentencing Reform and Corrections Act of 2015 (S.2123), which has passed the Senate Judiciary Committee and is predicted to successfully become law, promises to further relieve nonviolent drug offenders by reducing the penalties for three-strike-laws from life imprisonment to twenty-five years. But, S.2123 also discreetly increases the maximum sentence for those convicted of unlawful firearm possession and additionally implements two new mandatory minimums for interstate domestic violence and certain export offenses related to state-defined “terrorism.” In this bill, and in the mainstream political conversations, decarcerating *some* hinges on increased penalties for others.

Although one side of this example looks promising, it is only affecting a small number of federal prisoners, which in total amount to 8–10 percent of the entire U.S. incarcerated population. As Maya Schenwar points out in an article for Truthout, “just because the public consensus has shifted against ‘mass incarceration’ in a general sense, doesn’t mean that it will simply coast downhill from here.”^[17] These actions are relevant for but a sliver of the prison population, since most prisoners are in state institutions and about half of state prisoners’ primary offense was deemed “violent.”^[18] In addition to being slower than some would make it seem, the decarceration trend is uneven; some states are actually experiencing double-digit increases in prison population.^[19]

These elitist decarceration measures, along with the rhetoric and actions of mainstream politicians, further concretize the moralistic division between nonviolent and violent “offenders.” The repeated calls of salvation for nonviolent drug offenders mobilize public notions of and sentiments about “deservedness” and “dangerous others”—codes that carry both racialized and classed meanings, since African Americans are convicted on violent offenses at higher rates than whites.^[20] We must not only ask which racial subjects are being released but also who is allowing the release and why certain prisoners are deemed worthy of state redemption while others are not. Those prisoners convicted on nonviolent charges that receive—and therefore deserve—state mercy are those who appeal to liberal white sympathies and who do not threaten status quo white racial interests. A white supremacist society that is interested in maintaining their “possessive investment” of generational wealth, legal-judicial institutions, and civic advantages could not, and would not, allow anything less than imprisonment for the menacing threat of disenfranchised populations who are considered violent.^[21] Moreover, the obsession with the violence of a “dangerous few” and their street-level crimes masks structural violence. Reserving the label of violence for, say, a Latino youth caught carrying an unregistered firearm, obscures the immeasurable violence perpetrated by governmental and transnational capitalist forces and relieves them of the kind of disproportionate punishment that “violent offenders” receive. We maintain that the fiscally motivated movement to decarcerate a few and lockdown the rest preserves white racial interests and colonialist nation-making processes that continuously inflict violence on impoverished communities of color.

Looking forward, the elite decarceration movement promises more of the same: changes that focus on reducing the cost of incarceration while promising increased crime control and maintaining a social order based in white supremacy. In 2009, the Pew Center for the States released a report entitled *One in 31: The Long Reach of American Corrections*. This report quotes Newt Gingrich and applauds the work of bipartisan lawmakers who are managing a shift from incarceration to “community control” systems like probation and parole. Like the rhetoric of the elite reformers, the emphasis is on the costs of corrections and on keeping “serious, chronic and violent offenders . . . behind bars, for a long time” but improving the state’s “ability to better manage the 5 million offenders on probation and parole.”^[22] Another example of bipartisan reform efforts led by political elites is #Cut50. This organization is led

Reentry politics revive the “culture of poverty” thesis by framing the crime issue as one having to do with the problematic *values* of certain raced and classed “others”; according to this logic, if you fix the values of criminals, you fix the crime problem. Considering that just over two-thirds of all prisoners are officially designated as “poor” and most come from racially segregated and under-resourced communities,^[57] true rehabilitation necessitates the remedying of social disadvantages and underemployment. But, rehabilitation programs and reentry centers do not have the resources or abilities to address material needs. With little funding, they occupy the fuzzy borderlands between the welfare system and the carceral state, compelled to remedy the injustices of white supremacy, heteropatriarchy, and a capitalist economy while acting as de facto probationers and parole officers, and enforcing the strong arm of the state.^[58] We therefore view reentry politics as an arena for abolitionist engagement; the social problems created by the carceral state cannot be solved through shallow efforts and in fact are worsened when control extends into the community vis-à-vis “rehabilitation.”

The Tier System

Full decarceration, if ever achieved, will certainly not happen quickly. We therefore think it important to consider the ways in which prison administrators are updating their systems of control on the inside. One of the current penal alterations adopted by prisons is known as the “tier system.” The tier system is supposedly designed to protect safety, reduce recidivism, and even “give offenders a sense of hope,” but it does so by monitoring and sorting prisoners into strict categories.^[59] This model was developed within the context of the supermax prison. After isolating and monitoring certain trouble-causing prisoners in a supermax setting, prison administrators began experimenting with expanded behavior modification practices.^[60] Brainwashing, sensory deprivation, and misuse of drug therapy are some of the methods used to stress test, harass, and break prisoners. This project necessitates a complex gradation of privilege levels for prisoners to “step down” through. Recently that gradation has grown more sophisticated, often in response to prison rebellions.

Long-term solitary confinement is finally receiving much needed public criticism, including the first-ever congressional hearing on the practice, and some states ending the practice entirely.^[61] Meanwhile, the tier system is perpetuating supermax methodologies, behavior modification,

human capital rather than concrete vocational or educational opportunities and has thus been transformed into shallow reentry politics. [48]

Most modern reentry programs center their efforts on providing cognitive therapeutic education such as anger-management classes and on the “employability” of ex-offenders, thereby attempting to affect individualized, mental change as opposed to social change. [49] Yet this does little in offering a marginalized population concrete vocational training or educational opportunities. Although the Second Chance Act allocated \$63 million worth of federal grants toward reentry programs, this pales in comparison to the \$60 billion spent on federal and state prisons annually; the dollar amount spent on reentrants per year calculates to less than \$100 per person. [50] Moreover, our economy relies more on part-time, temporary, and nonstandard work than ever before; up to 40 percent of the workforce is thus precariously employed. [51] Unemployment has also risen dramatically, and along with it the difficulty of finding a new job as well as the other “consequences of getting laid off or fired.” [52] This economy of precarity distributes consequences across a wider but still disproportionately nonwhite strata of unemployed, criminalized, and discouraged people. [53]

Rehabilitation programs largely attempt to teach ex-prisoners how to accommodate themselves to an unjust social order. To graduate from a rehabilitation program has less to do with being changed or rehabilitated and more to do with successfully navigating programmatic norms and developing gestures and performances of remorse, of compliance, of respectability and deservedness that *might* unlock access to the benefits of (lower-) middle-class life. [54] In a white supremacist capitalist order, advantages are provided to those poor whites and people of color who can successfully disavow vilified categories. As Naomi Murakawa observes, the “formation of the American nation-state relies on oppositional dualities between white images and black images: law-abiding versus criminal, responsible versus shiftless, industrious versus lazy, moral versus immoral,” [55] and as such, rehabilitation politics do nothing more than to reaffirm and solidify these dualities. In fact, declining labor markets and unstable housing circumstances continuously shut out disadvantaged communities, particularly those who have been marked as “felons” or “ex-felons” and have thus suffered a civil death. [56]

by Van Jones, a policy advisor for the Obama administration, and funded by a wide range of political and funding organizations, including conservative groups like Gingrich Productions, the American Conservative Union Foundation, and the Koch Brothers. Their 2015 summit pulled in New Democrats and fiscally conservative republicans to join in advancing a policy consensus to “highlight bipartisan solutions for reducing incarceration, lowering justice system costs and producing better public safety outcomes.” [23]

These elite dilettantes of the decarceration movement have been met with justified skepticism from the existing antiprison movement and critical criminologists. Ruth Wilson Gilmore, cofounder of the abolitionist group Critical Resistance, warns against a tendency to “cozy up to the right wing” and “defining the problem as narrowly as possible in order to produce solutions that on closer examination will change little.” [24] Marie Gottschalk takes “neoliberal prison reform” to task for “relying on cost-benefit analysis to accomplish what only a deep concern for justice and human rights can” and for “focus[ing] on devising micro interventions at the local and community levels to change the behavior of individuals.” [25] California’s Public Safety Realignment initiative of 2011 provides a visceral example of Gottschalk’s concerns. This “top-down” initiative was designed by elites and aimed to reduce costs and incarceration rates by shifting “the responsibility for incarcerating some categories of non-violent offenders from state prisons to county jails.” [26] According to the numbers from California Department of Rehabilitation and Corrections (CDCR) the realignment plan has reduced overall prison and jail populations. [27] At the same time, as critics warned, the conditions of confinement for the incarcerated sent to jails have plummeted. At the time of this writing there are mass hunger strikes underway against abuse and inhumane conditions of confinement at county jails in Merced and Santa Clara counties. In Merced, protesting prisoners were met with shotguns, dogs, and retaliation, while in Santa Clara, deputies took the protester’s side against their boss after four days. [28] The intensity of each of these responses shows how conflictual conditions have become in CA county jails after realignment.

Although abolitionism envisions a prison-free society, many antiprison organizers and scholars recognize the practical need for “nonreformist reforms” and pushing for abolition through gradualism. Strategically, many abolitionists support those official reformist measures that don’t compromise a more radical and liberatory end goal [29] but that do bring some relief to the leviathanic problem. Antiprison organizers view

certain tactics as both strategic and nonobstructive to revolutionary movement-building, such as pushing for compassionate release of aging and terminally ill prisoners, decriminalizing low level offenses including minor possession charges or offenses against the public order, and eliminating bail requirements and pretrial detention.[\[30\]](#) Decarcerate PA, a Pennsylvania broad-based coalition of several organizations and individuals, exemplifies the abolitionist approach to embracing “nonreformist reforms” in its creation of three main initiatives: to impose a moratorium on the construction of new jails and prisons in the state, to decarcerate the current prison population by arresting less, convicting less, and incarcerating less, and reinvesting money and energy into the communities that have been torn apart by the prison system.[\[31\]](#) More specifically, Decarcerate PA has helped to push a bill to be considered by its state congress to end “death by incarceration”—alternatively known as life without the possibility of parole. House Bill 2135, still under deliberation, would allow for all prisoners the opportunity to see the parole board after serving fifteen years, no matter what their conviction or the length of their sentence.[\[32\]](#) with the hope that every prisoner will at least have a chance at release.

Related to Decarcerate PA’s third initiative is the crucial part of abolitionist organizing that is not just a “negative” project of deconstructing harmful institutions but also a “positive” project of creating opportunities and allowing communities to flourish.[\[33\]](#) The neoliberalized political economy in the United States has effectively led to a “death of the social,” by which governmental measures prioritize thrifty economic concerns at the expense of the social contract and social justice concerns, effectively gutting crucial welfare programs, defunding schools, and privatizing social services.[\[34\]](#) Therefore, to create egalitarian conditions and subsequently thriving individuals and communities, abolitionism also prioritizes community reinvestment led by community members who are the most impacted and harmed by the prison system. This “bottom-up” approach directly combats the problems associated with elitist “top-down” measures and asserts that emancipation cannot be granted by the state or some other authority, but instead through a process of collective struggle and steering.[\[35\]](#) Additionally, grassroots initiatives are often less concerned with fiscal budgets than elitist strategies are. They prioritize human rights and unearthing and eradicating the racialized (and gendered and classed and ableist) violence that undergirds the carceral state. Abolitionist analyses make space for a transformational politics that trusts in the human ability

control. Courts sentence people to so-called alternatives to incarceration, while parolees are mandated to undergo some type of rehabilitative programming, all for the stated purpose of monitoring people in the community while offering them limited support for vocational and therapeutic services. As of 2013, nearly five million criminalized people in the United States are under community supervision of some type (probation or parole), which is more than *double* the amount of people who are incarcerated.

The carceral expansion of control through the “alternatives to incarceration” track has rightfully received its due media attention, particularly as it relates to privatized probation and privately operated halfway houses. Private probation companies offer their “services” to state courts by collecting court fees from probationers, which has created debtor’s jails for those who cannot afford the fees in states like Georgia and Washington state. The egregious practices of private community correction companies in Georgia—a \$40 million per year industry—are now facing legal suits to the practice of trapping impoverished people into inescapable debts and jail time.[\[45\]](#) While they purport to provide therapy, educational, and vocational services, these agencies expand their profit margin by providing inadequate assistance and poor medical care for their “clients.” Community Education Centers, for example, one of the largest private providers of residential rehabilitation care have been historically negligent to the point of severe injury or death among residents.[\[46\]](#) Although we applaud the increased awareness of these issues, the dialogue seems to focus on the privatization of these systems instead of an analysis of the ways in which publicly funded and state-sponsored alternatives to incarceration have been primarily ensnaring impoverished communities and communities of color for decades.

We must ask ourselves how rehabilitation is defined and how rehabilitative logics work to support and maintain both the prison system specifically, and neoliberal structures of inequality broadly.

Rehabilitation officially defined, focuses on successfully teaching “offenders” how to lawfully abide by the norms of society and how to learn new ways of being in the world to prevent future criminality. This individually focused project squarely places blame on the deficiencies of criminalized people for *social* failings.[\[47\]](#) The assumption made is that crime results from one’s inherent, mental, or cultural inclination toward criminal behavior, instead of understanding street crime as a survival tool or a rational response to the bounded realities of disadvantage.

Therefore, modern rehabilitation programming narrowly focuses on

body of cautionary literature on carceral systems of control through the prisonization of communities of color and those neighborhoods targeted as hot spots.[\[42\]](#) Although decarceration might be on the horizon, the criminalization of communities of color has not been substantively addressed and therefore racialized sorting and social control will continue.[\[43\]](#)

Even if the United States adopts a wide-sweeping plan for decarceration, we must interrogate the ways that the logics of white supremacy continue to operate in neighborhoods and city planning projects. At the same time that objectionable policing practices are being interrogated, city geographies are rapidly changing. According to Elizabeth Kneebone and Alan Berube's research for the Brookings Institute, poverty has both spread to the suburbs and concentrated into diffused clusters.[\[44\]](#) Urban "renewal" projects have displaced countless low-income families and families of color by pushing them from now-desirable city centers to the edge or outside of the city. This pattern is often presented as the natural and inevitable result of human migration trends, or as intentional and benevolent efforts to "de-concentrate" poverty and create "mixed-income" neighborhoods. The formal narrative of "de-concentrating poverty" produces a social amnesia of the long and painful history of racial discrimination that brought us the inner city in the first place as well as a denial of the continued violence that displacement requires. Poor households are intentionally pushed to the periphery through arrests and incarceration, but also through rising rents, evictions and discrimination, which creates more difficulties navigating life at the margins. Once displaced, the poor are often reconcentrated into enclaves, which can then be labeled criminogenic and treated as extensions of the prison. We find this to be a crucial issue to contend within the struggle against carcerality before, during, and after substantive decarceration efforts.

The "Rehabilitative" Façade

Coinciding with elitist decarceration rhetoric and strategies, state actors and prison officials seek to increase the legitimacy of the criminal legal system by adopting (or "returning to") the much-fabled rehabilitative ideal. Rehabilitative programming behind prison walls are suspect to us, but we want to focus on the ways in which officials are using rehabilitation as a label to subtly expand the scope of control into communities of color. If a criminalized person can escape the grip of a jail or prison sentence, that rarely means they are free from scrutiny or

to change and also in the collective ability to dismantle domination and white supremacy in all of its forms.

Abolitionists must not allow the ruling political elites, many of whom are responsible for the incarceration spike in the first place, to hijack the decarceration movement. We must recognize the ways that elitist decarceration strategies strengthen and legitimate the prison system. In addition, abolitionists should be wary of how political elites are moving toward emboldening carceral structures that augment and might even replace incarceration. The prison's accommodation of shrinking state budget allowances by adjusting incarceration levels to better correspond to public criticism does not disrupt the entrenchment of carceral white supremacy. Infrastructures of racialized social control remain and only grow more sophisticated and efficient by becoming embedded into the community. Even if we are turning toward deceleration and even decarceration of prison populations, we wish to analyze the structures that might continue to obstruct abolitionist visions of justice. Three specific structures we wish to turn our attention to are exclusionary geographies, the rehabilitative facade, and the tier system.

Exclusionary Geographies

The intentional preservation of white racial interests through interpersonal prejudices, public policy, and governmental action is overwhelmingly evident in the realm of housing and neighborhood formations. The overtly segregationist agendas of governmental policies officially ended by the late twentieth century, yet they have had lasting influence on the raced and classed dynamics of communities across the United States. Ending formalized discrimination without implementing any remedies does not *undo* the consequences of prejudicial decisions. As Ta-Nehisi Coates wrote in *The Atlantic*, "ending white supremacy requires the ability to do math—350 years of murderous plunder are not undone by 50 years of uneasy ceasefire."[\[36\]](#) For centuries, local and federal governments practiced a politics of containment and exclusion in an attempt to bar Asian peoples, Native peoples, Latinxs, Pacific Islanders, and Black Americans from sharing resources and spaces with the white publics that had been appropriated from Native dominion.

The direct involvement of governments in segregationist aims is borne from the colonialist visions that created the United States. As early colonial America established industries through the lawful use of Black labor, several federal laws condoned and accelerated the forcible displacement of Native peoples. For example, the Indian Removal Act of

1830 under the Andrew Jackson administration pushed tens of thousands of indigenous people from tribes throughout the Southeast to areas west of the Mississippi River. The most notorious of expulsions was the “Trail of Tears,” which caused the premature death of nearly ten thousand Native peoples. This act paved the way for a series of Homestead Acts starting in 1862, which granted white settlers access to lands previously occupied by Native peoples, leading to conflicts between settlers and indigenous peoples. The contention over land and settlements extended to Black America soon after, following the abolition of slavery in 1863. Throughout the “free land,” white racists enacted restrictive ordinances in small towns and larger cities that effectively barred Black Americans (and Mexican populations) from living in white neighborhoods or even existing in white communities after sundown (a covenant known as a “sundown” law).

Governmental policies *in conjunction* with collective white racism continued throughout the majority of the twentieth century as well, most overtly through Federal Housing Authority actions that greatly limited opportunities for homeownership and loans to Black Americans while also endorsing banks and real estate agents to prejudicially make decisions based on an applicant’s race, ethnicity, and income. Additionally, whites’ preferences for self-segregation created modern suburbia, largely attributed to the “white flight” of the 1950s and 1960s, when thirty million Black Americans migrated from Southern locales to Northern cities.[\[37\]](#) At the same time, federally funded urban renewal projects destroyed 20 percent of subsidized housing units across several cities and of those, 90 percent were never replaced.[\[38\]](#) This created poor conditions and weak infrastructures in several inner cities, along with residential segregation and racial isolation. Overall, these racist measures that span centuries of time fuel a system of both containment of nonwhite groups and their systematic exclusion from dominant society and politics. Although the Fair Housing Act of 1968 sought to officially end discrimination in housing, these residential divisions by race persist and continue in our contemporary era, particularly because of white America’s sustained disinvestment in poor and marginalized communities. The resistance against “mixed-income” housing and affordable housing projects is palpable across geographic regions and the proprietary arguments against integration disproportionately targets low-income families and families of color. This has severe consequences, considering that one’s residence determines one’s closeness to (or

distance from) environmentally hazardous elements, quality schools, supermarkets, and other community resources.

The segmentation of U.S. residents by race and class allows for the exertion of social control to be concentrated and targeted. As Loic Wacquant has argued, the prison system extends into and enmeshes with the ghetto and this carceral containment functions to shunt people between poverty and imprisonment.[\[39\]](#) According to this reasoning, since incarceration has been consistently used as a response to social problems, segregated neighborhoods have likewise reflected the everyday surveillance and monitoring used within the prison system. In fact, “high rates of imprisonment and release follow persistent patterns of racialized residential segregation meaning that incarceration’s aftermath comes to be similarly concentrated into the same historically marginalized spaces.”[\[40\]](#) The racialized meanings attached to disadvantaged spaces, particularly those with concentrated poverty, are ideological fuel for white publics that believe that racial “others” are culturally deficient, dangerous, or more criminal (or all of these). These myths about cultural deficiency coincide with the widely circulated rationales for aggressive policing practices and other measures of social control. For example, we increasingly witness policing mentalities being infused into social institutions in disadvantaged neighborhoods, such as schools, community centers, neighborhood patrols, et cetera.

The symbiotic parasitism of the urban “ghetto” and the prison system is amplified in new ways as local governments move to decarcerate and divert people from prison. Although many local governments are vowing to use prison less, there is no promise of less reliance on policing. In fact, during Eric Holder’s “Smart on Crime” speech to the American Bar Association’s annual conference in 2013, he referenced a new kind of policing and crime policy. His remarks, which reflect the modern approach that many municipalities are trying to move toward, emphasize the use of “hot spot” policing. By concentrating efforts in “criminogenic” neighborhoods, policing mechanisms become redirected toward those locations deemed to contain “the most serious and hardened criminals.” This type of intensive and concentrated policing already exists; for example, a damning Bureau of Justice report on racial profiling by the Baltimore City Police Department finds that just 44 percent of pedestrian stops in Baltimore occur in just two predominantly Black American districts.[\[41\]](#) Police terror in racialized communities and historically marginalized spaces will only be sustained and perhaps amplified through a supposed redirecting of policing tactics. There is an abundant